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## Why symbolise control? Irregular migration to the UK and symbolic policy-making in the 1960s

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### ABSTRACT

It has frequently been observed that irregular migration is a common object of symbolic policy-making: the use of cosmetic adjustments to signal action, rather than substantive measures that achieve stated goals. Yet there is little research analysing the considerations driving policy actors to adopt such approaches. Drawing on existing literature, we distinguish three theoretical accounts of symbolic policy-making: manipulation, compensation, and adaptation. We explore these accounts through examining the emergence of symbolic policies in UK immigration control in the 1960s. Through detailed archival research, we reconstruct the deliberations leading to a series of Home Office decisions to crack down on irregular entry – decisions which officials felt were not operationally sensible, but which were based on popular political narratives of the problem. We conclude that the UK's adoption of symbolic policy was a clear case of adaptation: a series of concessions to simplistic notions of control that did not chime with official views of what would work, and which were reluctantly embraced for reasons of political expediency. In conclusion, we suggest the need for more fine-grained analysis of the deliberations underpinning decision-making in bureaucracies, in order to produce more nuanced accounts of political rationalities in the area of immigration policy.

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## Introduction

Immigration policy is often seen as being susceptible to symbolic policy-making – the use of cosmetic policy adjustments to signal values and intent, rather than substantive measures to steer the object of intervention. Nowhere is this more pronounced than in measures to combat irregular immigration, which have become part of a ‘complex symbolic discourse’ (Cvajner and Sciortino 2010, 390). The literature on irregular immigration control has widely documented state attempts to signal stringent control through high profile measures, showing how such gestures are often decoupled from lenient or ineffective policies on the ground (Ceyhan and Tsoukala 2002; Castles 2004; Castles, de Haas, and Miller 2014). The implication is that politicians and officials are quite aware of this discrepancy. Indeed, policy-makers are depicted as either consciously manipulating

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public sentiment through the use of emotive and polarising narratives (Edelman 1985; Gusfield 1986); or as intentionally deploying symbolic measures to divert attention from lenient practices of immigration control.

Yet there is very little literature seeking to understand the motivations and attitudes of the policy-makers adopting symbolic approaches. How do officials make sense of and justify such strategies? Most accounts exploring this form of symbolic policy are based either on discourse analysis or on the observation of differences between policy output and outcomes. There has been little investigation of the internal deliberations within government bureaucracies that produce such approaches. Thus we still know relatively little about the sorts of political and operational rationalities shaping symbolic policies towards irregular migration, meaning that the factors driving populist approaches remain underspecified.

This paper seeks to elucidate the sources and nature of symbolic policies on irregular migration. It starts by exploring scholarly claims about the considerations that propel policy-makers to develop symbolic approaches to immigration control. We identify three sets of claims in the literature about the drivers of symbolic policy. First is the notion that such approaches are an attempt to mobilise public support through deploying emotionally compelling narratives – an account we term ‘manipulation’. Second is the idea that such approaches seek to conceal the gap between public preferences for restriction and more liberal policies – an account of ‘compensation’. And third, we investigate the notion that symbolic policies represent a more reactive strategy, which adjusts responses to conform to dominant public narratives about the nature of the problem that do not accord with organisational logics – an account we term ‘adaptation’.

We explore the plausibility of these three accounts by examining United Kingdom policies on irregular entry in the 1960s. Prior to the mid-1960s, evasion of border control was not considered a policy problem in the U.K., and clandestine immigration by Commonwealth citizens was not against the law. However, from 1965 onwards, the Home Office began to introduce a series of measures to clamp down on irregular entry. These measures were clearly symbolic, in that Home Office officials did not consider that they would lead to any substantive improvement in control or a significant reduction in overall immigration numbers.

The article focuses on three policy-making episodes to draw out patterns of symbolic policy responses. We analyse Home Office deliberations behind these measures through extensive archival research of 2300 of pages of Home Office and other official records pertaining to U.K. policy-making on irregular migration from 1965 to 1969. In conclusion, we suggest that the prevalence of adaptation across these three episodes indicates that it may be a more important driver of symbolic policy-making than past scholarship has recognised. This case study thus suggests the need for methodologies that can more precisely reconstruct the deliberations leading to the adoption of symbolic policies.

### Three accounts of symbolic policy in immigration

The idea that migration – and especially irregular immigration – is particularly subject to symbolic policy-making is an enduring theme in immigration policy scholarship. Indeed, immigration has been seen as particularly susceptible to such symbolic measures, which, rather than seeking to change outputs in an instrumental way to pursue concrete policy ends, ‘uses substitutes to address substantive policy problems’ (Faist 1994, 51).

The concept of symbolic policy-making is based on a distinction between instrumental and expressive forms of political intervention. While instrumental interventions are consciously aimed at steering the behaviour or effects of target populations (in this case irregular immigrants), symbolic or expressive interventions are designed to signal to an audience that the government is committed to certain values or goals. In the words of Brunsson (1989), symbolic policy is about ‘talk’ and ‘decisions’, rather than ‘action’. Of course, symbolic talk and decisions may well generate substantive effects – both on their intended audiences (the ‘public’, party supporters, and so on) and on the populations that are identified as the object of such interventions (Austin 1979; Law and Urry 2004). The point, however, is that symbolic interventions are intended to signal commitment to the audience, rather than to affect the object of intervention. We should also note that symbolic *policy-making* should be distinguished from symbolic *politics* by the fact that the former specifically involves policy interventions. In symbolic policy-making, such ‘talk’ and ‘decisions’ are reflected in enacted policy changes, rather than existing only in political discourse.

Classic accounts of symbolic policy-making emphasise the affective features of such interventions. Symbolic politics operates based on drama and moral narratives that seek to expressively communicate with an audience, appealing to intuition and emotion (Sears 2001) rather than seeking to elucidate complexity or nuance. In particular, law enforcement – the moral story of crime-and-punishment – appears to offer especially compelling narratives about social order (Gusfield 1986). Such crime-and-punishment discourses have readily entered into the politics of immigration (Sides and Citrin 2007; Bosworth 2008; Andreas 2009). Thus there are strong incentives for politicians to portray irregular immigration in a morally polarised way (Mehan 1997). We term this account of symbolic policy-making a strategy of ‘manipulation’, in that it seeks to tap or even cultivate more emotive and simplistic public sentiments about irregular migration in order to win support for government policies.

The notion of symbolic policy-making as ‘manipulation’ is often found, implicitly or explicitly, in critical security studies literature on immigration policy. In these accounts, policy elites consciously depict immigration as a security issue in order to secure legitimacy (Huysmans 1995, 2000; Bigo 2002), and to mobilise support for approaches that curtail human rights (Buzan, Wæver, and de Wilde 1998, 23–25). Securitisation is an attractive tool for political elites (Wæver 2000) because of ‘the possible advantages of focus, attention, and mobilization’ it provides to elites wanting to exert greater control over an issue (Buzan, Wæver, and de Wilde 1998, 29). In methodological terms, such approaches tend to rely on discourse analysis to chart such securitising moves. Empirical analysis most often focuses on the discursive strategies deployed by political elites to construct irregular migration as a security threat and examines how these resonate with their intended audience (Balzacq 2011).

However, much of the literature on immigration policy has focused on a second account of why symbolic policy-making is so appealing in the field of migration control. On this account, the penchant for symbolic measures can be attributed to the widely perceived ‘gap’ between public preferences for restrictive approaches, and the inability or unwillingness of governments to deliver such approaches. As with classic theories of symbolic politics, these accounts assume that publics are restrictively oriented, favouring measures to limit and control immigration. This provides incentives for

governments to meet public demands by being seen to adopt robust measures to control the problem. Yet liberal democratic states tend to follow more inclusive approaches, bound by embedded liberalism (Hollifield 1992; 2000), or captured by expansionary interests (Calavita 1992; Freeman 1994). This makes them unable to enforce such stringent approaches, producing what has been coined the ‘gap hypothesis’ (Joppke 1998; Hollifield, Martin, and Orrenius 2014).

The divergence between popular and elite capacities and preferences encourages political elites to ‘decouple’ restrictive rhetoric and cosmetic adjustments from more lenient practice (Boswell 2008). Such decoupling may be especially viable in the field of irregular immigration because of the impediments to monitoring policy outcomes. Given the paucity of information on government performance, states have scope for assuaging public concerns through cosmetic adjustments that do little to address the substantive problem (Boswell 2012). In this sense, symbolic policy represents a purposeful elite strategy for diverting attention from, or compensating for, more liberal policies. We label this second approach to understanding symbolic policies an account of ‘compensation’, as it seeks to distract or offset lenient policies through restrictive signals.

This second account is premised on a rather different theory of the state. While liberal constraint theorists accept that governments may be keen to pursue illiberal policies in order to mollify public opinion, they understand states as structurally constrained from redeeming such restrictive pledges (Calavita 1992). The liberal constraint can be remarkably effective in delimiting the scope of the state in putting such restriction into practice. Moreover, political leaders have little interest in whipping up anti-immigrant sentiment through symbolic politics: they are far more preoccupied with seeking to resolve the tension between public demands and institutional constraints. Thus while symbolic measures may be a useful ploy to divert attention from more lenient outcomes, they are not intended to heighten, consolidate, or exploit public preferences for restriction. Indeed, insofar as symbolic policies have this effect, they simply widen the liberal ‘gap’ that governments are grappling to address. In this sense, such approaches tend to view governments as reacting to, rather than consciously shaping, a public preference for restriction (Statham and Geddes 2006) – though their compensatory strategies may inadvertently have the latter effect.

In terms of methodology, such approaches reject an exclusive focus on discourse, as this captures only the symbolic moves of policy-makers. Instead, empirical analysis tends to explore the discrepancy between restrictive discourse and lenient practice, through comparing high-level political outputs (political rhetoric, policy announcements, and legislation) with implementation or practical outcomes.

While the first two accounts have tended to dominate the literature on immigration policy, there is a third account that implies a rather different understanding of symbolic policy-making. This approach emphasises the divergent narratives of migration control that can emerge in, respectively, bureaucratic and public political settings. Officials and ministers closely involved in the detailed elaboration and implementation of immigration policy may develop quite distinct beliefs about which sorts of interventions will be effective in steering immigration, compared to those that hold sway in party political or media discourse. This implies a discrepancy between the ‘inside’ view of those involved in operations and enforcement and those on the ‘outside’ who may foster more simplistic and polarised views of immigration control. On these accounts, ‘inside’ and ‘outside’ views

are not necessarily distinguished in terms of diverging policy preferences: policy-makers may be just as committed to restrictive immigration policy goals as the public. Rather, the discrepancy is between different knowledge and beliefs about appropriate modes of steering. On this account, public demands are not just for 'restriction' generally but for specific types of interventions that public or political discourses represent as logical, but which can diverge from policy-makers' understanding of how immigration is best governed. However, policy-makers are likely to be aware of the gap between bureaucratic and public political narratives of control and may feel under pressure to be seen to respond to such public expectations. They may, therefore, embrace symbolic policy as a reactive move, an attempt to adjust rhetoric and policy interventions to meet dominant expectations about immigration control.

While this account is not inconsistent with elements of the first two approaches, it foregrounds the ideational and cognitive component of narratives of immigration control (Boswell, Geddes, and Scholten 2011). Mass media and public political discourse tends to be characterised by often simplistic and polarised narratives of the causes, dynamics, and effects of irregular migration; but officials typically have a much more nuanced understanding of these phenomena – and are acutely aware that the types of interventions featured in public discourses often have limited ability to steer immigration dynamics (Cvajner and Sciortino 2010; Bommes 2012). Faced with this dissonance between specialised and popular narratives, governments may seek to 'educate' the public by communicating that the issues are more complex and nuanced than widely supposed. However, where immigration is highly politicised and thus the object of competitive political claims-making, such attempts are unlikely to win public and media support. Instead, governments may feel compelled to adjust their rhetoric and interventions to meet dominant expectations about appropriate modes of immigration control (Sciortino 2000; Lahav and Guiraudon 2006). This account we describe as 'adaptation' since it takes the form of a responsive adjustment to meet strongly held public narratives about appropriate interventions.

This third approach has received less attention than the other two, partly because it implies the need for more in-depth qualitative data that can elucidate internal deliberations within organisations in the public administration (for examples of such a focus in immigration policy literature, see: Ellermann 2006; Eule 2014). Empirical research along these lines would seek to understand how members of the organisation interpret and respond to different internal and external pressures, through observing or reconstructing the complex set of considerations informing policy decisions.

### **The case: the construction of irregular immigration in Britain in the 1960s**

We examine how far the three accounts outlined above characterise policy-makers' approaches to symbolic policy-making in the area of irregular migration control. We do so by focusing on the emergence of symbolic responses to irregular immigration in Britain in the 1960s. The British case offers an excellent site for exploring the factors shaping symbolic policy-making, as it allows us to trace such responses from the time when irregular immigration first emerged as a social problem. Until the mid-1960s, there was no concept of 'illegal' immigration flows in U.K. political debate, since Commonwealth immigrants were not subject to control until 1962, and at that point, even



clandestine landing by Commonwealth citizens was not illegal. Importantly, such a historical case also provides the empirical material necessary for analysing the political and administrative ‘rationalities’ shaping these symbolic policies. As we suggested above, different accounts of symbolic politics have tended to draw on distinct methodologies, with the third ‘adaptation’ approach relatively neglected in part, we suggest, because of the impediments in analysing policy deliberation within public administration. We aim to redress this, through offering a detailed archival analysis of government records on symbolic policies. By focusing on a period in the 1960s, we were able to access extensive records of Home Office and Cabinet deliberations on the topic. This source of data is not accessible for very recent periods, given the length of document embargoes. The larger case study upon which this article is based collected 10,000 pages of archival material from the U.K.’s National Archives. This article’s analysis draws from 2300 pages of archival data pertaining to the period 1965–1969. Most of these documents come from the Home Office, while some records are from No. 10 Downing Street and other departments such as the Foreign and Commonwealth Office. These documents allow for a detailed reconstruction of administrative thinking about irregular migration from a crucial time period in the evolution of this issue.

We suggest that this methodological focus on internal organisational deliberation can also help unearth instances of the other two approaches: it provides an excellent tool for elucidating how far symbolic policy-making reflected elite attempts at manipulation, or more reactive attempts to divert attention from liberal practices. Taking this historic vantage point, therefore, permits a full exploration of how the symbolic treatment of this issue emerged, and how far it corresponded to accounts of manipulation, compensation, or adaptation.

We focus on three stages in the evolution of symbolic policies towards irregular migration in the U.K.: the inclusion of symbolic anti-‘evasion’ provisions in the Government’s 1965 white paper on immigration, the decision to make clandestine immigration illegal in the Commonwealth Immigrants Act 1968, and the move in the Immigration Appeals Act 1969 to require entry certificates for Commonwealth dependants entering the U.K. to settle. Each stage involved a set of deliberations culminating in a decision to adopt a symbolic approach to the issue – a set of measures that signalled action and corresponded with popular narratives of the problem but were not considered to be operationally effective. We explore the extent to which these successive decisions to embrace symbolic policies were associated with manipulation, compensation, or adaptation.

### **Evasion to ‘illegality’: three symbolic policy-making episodes**

Despite the increasing politicisation of immigration in the U.K., before the mid-1960s, irregular migration specifically had not been an issue of any political salience. The Commonwealth Immigrants Act 1962, the first legislation to restrict Commonwealth citizens’ entry into the U.K., is notable for the absence of a concept of ‘illegality’. While a system had long existed to govern the immigration of non-Commonwealth foreigners (‘aliens’), it was not a topic of political controversy, and the idea of irregular ‘alien’ immigrants was absent from political debate. Instead, the preoccupation in the early 1960s was with the overall reduction of non-white Commonwealth immigration. It became broadly accepted across the political spectrum that the volume of Commonwealth immigration



was too high. Immigration was seen as creating various social problems, and as needing to be controlled as a matter of managing the U.K.'s racial demographics (Hampshire 2005). The purpose of the new system of control was to reduce the incoming numbers to levels where 'they can be absorbed into the life of this country' (Gwynn to Pritchard, 28 Oct. 1964, TNA HO 344/65).

Under the 1962 Act, Commonwealth arrivals could enter for settlement through two principal channels. The first one comprised primary labour migrants, who were permitted to settle through a work voucher system administered by the Ministry of Labour, subject to a quota (initially set at 20,000 per year). Second were the dependent family of primary labour migrants who had already settled in the U.K. before the 1962 Act, or who would arrive later under its provisions. Some of these dependants, like spouses and children under the age of 16, had their right to enter and settle in the U.K. guaranteed by the 1962 Act. A wide range of other relations – fiancé(e)s, parents over 60, children aged 16 or 17, and other more distantly related dependent family – had non-statutory discretion to enter, at least at first. Students and visitors were freely admitted. The initial quota of 20,000 labour migrants a year promised to immediately reduce immigration from its peak at more than 136,000 during a surge in 1961 (where Home Office figures showed it had stood at only 57,700 in 1960).

Home Office policy-makers were clearly committed to the goal of reducing Commonwealth immigration, in line with the stated political objectives of the bill in Parliament. In this sense, the control system entered operation with no 'gap' between the dominant organisational and political accounts of the problem or how the state should intervene. Moreover, they were satisfied that their chosen approach to reducing numbers would be effective. The focus was firmly on reducing overall levels of immigration, rather than limiting transgressions of immigration rules. From the standpoint of reducing immigration, officials initially assessed that this system seemed to work. As one Home Office immigration official wrote in 1963:

[T]he control which was started last year, was never intended to operate as a fine-toothed instrument; the main purpose was to achieve a significant reduction in the total volume of immigration while at the same time, enabling those who were given a statutory right to come to the United Kingdom to get here without more trouble than absolutely necessary, either to them as individuals or to the authorities. Without being too complacent about it, this is what we think has been achieved. (Wood to Ream, 14 Aug. 1963, TNA HO 344/95)

Indeed, checks on immigrants at this time were not very rigorous. The only point at which an immigrant's credentials were subject to a decisive check was at the port. While labour migrants required a work voucher to enter the U.K., family members could use an optional system of 'entry certificates' that was initially intended mainly to provide assurance that their journey would be successful. The entry certificate was a document of non-binding (though nearly always effective) assistance to the immigration officer at the U.K. port of entry, who would determine whether a family immigrant had a qualifying relationship. In some places (like the West Indies) entry certificates were broadly used, while in other places (such as the Indian subcontinent) British officials found identity records patchy, and entry certificates were much more rarely used. Admission of the dependant at that moment gave them a right to settle in and return to the U.K.

Bureaucrats were highly conscious of the practical difficulties of making post-entry checks thorough and accurate due to the British state's relative lack of identity-fixing and internal monitoring capability (Desrosières 1998; Agar 2001). In line with this, the 1962 Act was not designed as a tool to penalise immigrants for entering under false pretences or for continuing to live in the U.K. despite ineligibility. There were also significant political considerations regarding the Commonwealth and Britain's post-imperial foreign policy strategy, which in immigration policy meant pressure to keep Commonwealth citizens' rights of entry as generous as possible (see Paul 1995; Hansen 2000). To keep Commonwealth immigrants in a relatively favourable status compared to aliens, the 1962 Act did not require them to register with the police. Systematic post-entry checks were thus non-existent. They were in any event unlikely to achieve the main goal of the system: a significant numerical reduction in immigration. 'Evasion of the control', as it was called, represented a problem to Home Office officials only inasmuch as it increased these numbers. Mostly officials thought that evasion, while concerning in principle, did not make very much of a difference in practice.

### *'I will be pressed': the 1965 white paper anti-evasion provisions*

The first set of deliberations we focus on were discussions in the run-up to a Home Office white paper on immigration, which introduced a number of largely symbolic measures to limit 'evasion of the control'. These deliberations took place against a backdrop of increasing frustration at the failure of the 1962 Act to sufficiently limit Commonwealth immigration. After an initial period of satisfaction about the perceived effectiveness of the measures, a sense of policy failure had emerged by 1965. The increase in secondary family migration, which lagged behind the arrival of primary labour migrants in the years before, meant failure to decrease immigration below 1950s figures: Home Office statistics showed immigration in 1964 was about 71,000, more than half of whom were dependants. At the same time, introducing further controls entailed significant political problems, not least with Commonwealth governments that had given the 1962 Act a cool reception.

In this context, the notion of 'evasion of the control', referring to alleged instances of Commonwealth immigrants entering and settling without eligibility, was attracting increased political attention (*The Times*, October 7, 1964a; November 18, 1964b). The Labour Party's victory in the 1964 election occasioned the arrival of a new home secretary, Frank Soskice, who was keen to address growing political concerns about immigration, including those around evasion. As he expressed to civil servants, 'it seems obvious that I will be pressed [in Parliament] and, independently of pressure, ought forthwith to consider measures which might be regarded as appropriate to reduce or check this evasion' (Soskice to Cunningham, 18 Nov. 1964, TNA HO 344/65). Soskice was entering the Home Office with a clear 'outsider's' view of the problem, its likely political trajectory, and what changes bureaucrats should consider. His ideas about how to reduce evasion included mandating entry certificates for dependants, expanding internal monitoring, admitting some Commonwealth immigrants under certain conditions or for certain times, and requiring them to register with police. Soskice mooted 'a kind of half-way system of control which might go some way to achieve the purpose of limiting evasion and at the same time not be wholly unacceptable' (Soskice to Cunningham, 18 Nov.

1964, TNA HO 344/65). Home Office bureaucrats did not see these suggestions as promising or workable. Beyond the need to create a whole new system of internal control,

We cannot tell how successful they would be in keeping down the net intake of coloured Commonwealth citizens; and we suspect that they are likely to be least effective with the kind of people we would most wish to keep out. (Cunningham to Soskice, 24 Nov. 1964, TNA HO 344/65)

As dependants had clearly become the bulk of New Commonwealth immigration flows, official attention began to focus on them as major sources of 'evasion'. In February 1965 Soskice delivered an estimate of at least 10,000 'evaders' to Parliament (HC Deb. 4 Feb. 1965, vol. 705 col. 1285) – an estimate, based on flow data, which later Home Office officials saw as a substantial overstatement of the problem, calculated with faulty methods ('Commonwealth Immigration: Evasion (Brief No. 2)', n.d. [1968], TNA HO 344/55). This might be interpreted as an attempt to stoke public concern in line with the 'manipulation' account, but the archival evidence belies this. Soskice's correspondence shows that his main concern in immigration policy-making was reacting to perceived political vulnerability. Rather than generating greater public concern about the issue, his political goal was to anticipate and allay public anxieties he saw as placing a strain on both the Home Office and the government by adapting policy responses to this perceived public, politicised account of the problem. Immigration was both bedevilling from a policy perspective and increasingly salient in public debates.

The subject won't lie down. We are bound as a dept. to be repeatedly pressed, particularly as individual cases of refusal under the new immigrant control from time to time to public notice. ... In spite of any controls we impose I am convinced over the years the numbers will grow, and controls will be under growing strain. (Soskice to Cunningham, 3 Oct. 1965, TNA HO 394/88)

Soskice and other Home Office ministers were mindful of increasing public interest in the idea that 'evasion' was driving up immigrant numbers, and they pursued this point repeatedly with civil servants (TNA HO 344/196). The system's lack of focus on the credentials of individual immigrants was picked up on in parliamentary debates, as shown in this House of Lords debate between the former Conservative Lord Chancellor Viscount Dilhorne and the Labour Home Office minister Baron Stonham:

[Viscount Dilhorne]: We know, according to the noble Lord's statement, that there are 10,000 immigrants here who ought not to be here. They have, presumably, either evaded control or failed to comply with conditions of entry.

Lord Stonham: My Lords I am very sorry to interrupt the noble and learned Viscount again, but there is here a point of importance. If conditions are not imposed on entry, then, of course, people are not evading the control in the sense that they are not doing anything illegal if they do not go home. They commit an offence only when they do not go home in compliance with conditions.

Viscount Dilhorne: That really reinforces the force of my argument as to the need for an amendment of the law. (HL Deb 10 March 1965, vol 264, col 70)

The Home Office eventually announced a tightening of the machinery of the 1962 Act through a white paper, 'Immigration from the Commonwealth' (1965). The government possessed one clear way to effect a greater reduction in future immigration: to further

restrict the number of primary labour migrants allowed to enter, which would yield later reductions in dependants following them. In line with this approach, the white paper announced a cut in work vouchers from 20,000 to 8500 a year – a measure the government believed would be effective in reducing immigration. In this sense, the government had no perceived need – at this point – to engage in ‘compensation’ for its restrictive policies being ineffective since it still clearly had workable tools to further reduce immigration.

However, the white paper announced additional provisions aimed at the ‘evasion’ issue, which civil servants saw as marginal to the goal of decreasing numbers – but which the Home Office adopted in response to public and political concern about evasion, in a clear instance of adaptation. One provision ended the concession granted to 16 and 17-year-old dependent children, and more distant minor relatives, to enter to live with their guardians since this was seen as ‘a means of securing the admission of young immigrant workers without vouchers’ (‘Immigration from the Commonwealth’ 1965, 7). The paper also made the more nebulous announcement that the government would seek to impose conditions of entry on some Commonwealth citizens, with students in mind. It also promised that immigration officers, ‘with a view to preventing evasion, [will] be instructed to apply strict tests of eligibility’ (‘Immigration from the Commonwealth’ 1965, 7) – a notably vague commitment.

Despite this rhetorical stance against irregularity, later documents show that the implementation of these measures was patchy, underscoring their symbolic nature. With no robust system to follow up on them, very few Commonwealth immigrants were subject to entry conditions. Commonwealth youths coming to join a non-parent were admitted much more permissively than the white paper outlined, which Home Office bureaucrats later worried would lead to political embarrassment (Whittick to Storar, 1 Feb. 1967, TNA FCO 50/57). Overall, little seemed to happen at the ports in terms of stricter tests of eligibility. Trying to stamp out ‘evasion’ at the ports, by denying people with questionable credentials, allowed a minor tool to reduce immigration, but stricter scrutiny only emerged in 1967, and even then it had a marginal effect on overall inflows. From 1966, rejections at the ports markedly increased, growing from 1339 to 2219 in 1967 (FitzGerald to Ennals, 12 Feb. 1968, TNA HO 344/188), but these numbers were dwarfed by the more than 50,000 dependants admitted for settlement that year.

### ***‘The law looks ridiculous’: the 1968 act and the creation of illegal immigration***

The second key stage of deliberation was over the preparation of the Commonwealth Immigrants Act 1968. This Act was most notable for placing under immigration control U.K. citizens of Asian descent in East Africa who had not acquired local citizenship. But it also contained a number of other provisions that aimed to shore up immigration control in response to political concerns, notably rendering ‘clandestine’ immigration by Commonwealth citizens an offence. Again, this is a clear instance of symbolic policy, in that Home Office officials considered it would do little to meet the goal of reducing numbers.

We can observe a similar pattern as that in 1965 in the lead-up to the adoption of those provisions. A number of immigration controversies were gaining attention in the media and political debate. Under the 1962 Act, a Commonwealth citizen landing in the U.K.

without authorisation was not illegal. Immigration officers had a 24-hour window in which to interview newly arrived people and refuse or grant admission. The power to refuse them ceased at the end of this period and they were de facto free to stay in the U.K. In 1967, this 'loophole' received alarmed media coverage due to a relatively small number of discovered clandestine landings on British beaches (TNA FCO 50/86). In the summer of 1967, as a *Times* editorial noted, 'Most public attention [to immigration policy] is directed either towards cases of illegal entry ... or toward what are alleged to be discourteous applications of the rules' (*The Times*, August 25, 1967). Press coverage of this 'loophole' often treated it as outrageous and offered estimates of clandestine immigration that officials found irresponsible.

The loopholes in immigration control ... make a mockery of the Immigration Act. A combination of administrative procedure and the letter of the Act ensures that an immigrant who manages to land illegally can count himself safe if he manages to elude detection for a day. ... Nobody knows how many illegal immigrants there are in this country now. The lowest figure suggested to us is 2000. Other estimates, which the people who made them believed to be conservative, ranged up to more than 10,000. Whatever the figure, the potential for increase is terrifying. (*Birmingham Post*, August 31, 1967)

More sedate press coverage referred to this as 'the most extraordinary omission in the control procedure' as well as an area where, politically, 'there would presumably be agreement' (Fowler 1967). To the Home Office, though, the case was less clear. Eliminating the small number of immigrants landing clandestinely would do little to reduce immigration numbers kept high by dependant inflows. Besides, given the lack of internal monitoring, how were the small numbers of immigrants who had landed clandestinely to be caught?

The decision to legislate on the increasing flows of East African Asians offered a window of opportunity to address other issues that had arisen within the 1962 framework. The Home Office decided on a 'short immigration Bill' that would, among other provisions, 'close some of the manifest gaps in the present immigration control', including 'the 24 Hour Rule (clandestine immigration)' (FitzGerald to Bohan, 23 Jan. 1968, HO 344/182). In line with their previous thinking, officials doubted whether extending the 24-hour window in which immigration officers could interview those who had landed clandestinely would be operationally useful since clandestine immigrants were unlikely to be caught more than a day after landing (TNA HO 344/182). Despite reservations about its effectiveness, the Home Office decided to include the provision on the grounds that it would conform to public expectations. As officials briefed the home secretary, James Callaghan, for a Cabinet presentation:

The point is not of great practical importance: there has never so far been a case of the police picking up a clandestine immigrant who had been in the country just over 24 hours, but the law looks ridiculous and should be amended. Simply to extend the period of 24 hours would not be satisfactory to public and Parliamentary opinion. ('Draft Memorandum by the Secretary of State for the Home Department,' 5 Feb. 1968, HO 344/182)

Still, doubts about the effectiveness of making clandestine immigration an offence continued to enter into official discussions, leading to ongoing doubt about its inclusion in the bill. When asked about possible ways of shortening the bill to avoid prolonged debate, the head of the Immigration and Nationality Department of the Home Office suggested that

making clandestine immigration illegal could possibly be cut out, in favour of just extending the 24-hour inspection period.

[I]f no offence of illegal entry is created I doubt whether the police would be so zealous. But it would be sufficient for purposes of public presentation, and might not make all that difference to the number of clandestine immigrants caught. (FitzGerald to Pile, 16 Feb. 1968, TNA HO 344/182)

In the end, the provision making clandestine immigration an offence was included in the law, placing Commonwealth citizens under a duty to be inspected by an immigration officer, while the Act also extended the 24-hour window for inspection to 28 days and denied clandestine entrants from establishing residency for the purposes of readmission. This decision was clearly an example of symbolic policy-making. But it was patently not an attempt to manipulate public anxieties, which officials considered misguided and a source of unhelpful pressure. Indeed, civil servants noted in a draft speech for Callaghan for the second reading of the bill (a sentence that was ultimately left out), ‘The Home Office view is that [clandestine immigration] is on a small scale, and that it has been exaggerated’ (‘Draft Notes for Home Secretary’s Speech for Second Reading’, TNA HO 344/324; cf. HC Deb 27 Feb. 1968, vol 759, col. 1244). Nor was the Home Office trying to compensate for an inability to control other flows – indeed, the government was about to take extraordinary action to slam the door on the most controversial inflow, of East African Asians. Rather, this measure aimed at satisfying an external narrative about the nature of the problem that had caught on in media and political discourse – with its emphasis on a clandestine landing problem that the bureaucracy considered minor, and almost irrelevant to the policy goal of reducing immigration numbers.

### ***‘Public controversy is not always logical’: 1969 and the entry certificate requirement***

Party political debate around immigration in the U.K. intensified throughout the 1960s. By 1969, the Labour government was in a defensive mode when it came to Conservative proposals about immigration. They were no longer responding to a sense of diffuse public anxiety that had eventually produced a bipartisan consensus about restriction but were now responding to explicit partisan manoeuvring on the issue. The Conservative leadership favoured more restrictive policies, including the requirement that dependants (as well as workers) obtain entry clearance before they arrived in the U.K. and that the control systems for aliens and Commonwealth citizens be ‘assimilated’ (Wood 1968). Labour ministers were predictably hostile to these ideas, but Home Office bureaucrats also wrote critically of major Conservative Party proposals. One ‘major point of difficulty’, according to a Home Office analysis of Conservative proposals, was that ‘though presented as measures to curtail immigration, they contain nothing that would limit numbers’ (‘Mr. Heath’s Statement of Commonwealth Immigration Policy,’ n.d., HO 344/55).

Indeed, the idea of requiring entry certificates for Commonwealth dependants was a policy proposal that had been repeatedly tabled throughout the 1960s but found consistent opposition in Whitehall (TNA HO 344/77). The Foreign and Commonwealth Office was especially against it, as it would effectively require a visa for Commonwealth citizens that was not demanded of aliens. However, the Home Office was also unenthusiastic, since the



requirement would not reduce the number of Commonwealth citizens entitled to immigrate. Officials believed that entry certificate officers were no more likely to come to the truth about a new immigrant's age or relation to a settled person than an immigration officer at the port who could interview the new immigrant and his or her sponsor separately. There was also the problem that, given the lack of internal controls, ineligible settlers could pose as visitors.

In principle, nothing could be more sensible ... But there are a number of practical difficulties about making entry certificates compulsory for those coming for permanent residence ... [T]hose with dubious claims would no doubt come here purporting to be a visit or a holiday with relatives, with the intention of disappearing ... [T]here would still be a need for careful examination, and the likelihood is that the difficult cases would still cause difficulty. (Note by FitzGerald, 21 March 1967, TNA HO 344/77)

However, following the 1968 Act, the government was left with few policy options that would reduce immigration and that were also politically and practically viable. Making any more substantial reductions in overall numbers would entail restrictions on the entry rights of Commonwealth dependants that policy-makers regarded as draconian, and that the opposition Conservatives also pledged not to alter. Indeed, an effort by the Labour government to issue an immigration white paper in 1969 was quashed because it contained no new proposals (TNA HO 344/197).

There was a clear disjuncture between internal bureaucratic accounts of this measure that saw mandatory entry certificates as pointless at reducing immigration, and public understandings, including those of immigrant-advocacy groups (Juss 1993, 44), which viewed the idea as pure restrictionism. It was with a sense of fatalism that a Home Office official predicted how the debate would play out.

The Conservative Party are officially in favour of compulsory entry certificates, and Ministers will be very much on the defensive on this point ... I think, too, that Ministers will come under mounting political pressure for measures to reduce numbers, and that it may well not be enough to say that the situation is under control because numbers are not rising. ...

He added revealingly:

[T]he major point in this respect is that compulsory entry certificates will not affect numbers. But public controversy in the field of Commonwealth immigration is not always logical, and there may still be a feeling that compulsory entry certificates are in some way all the more desirable because numbers are rising. (Otton to FitzGerald, 17 Sept. 1968, TNA HO 344/330)

As in previous deliberations, one can discern a distinct sense that expectations by political actors external to the Home Office were viewed as unreasonable accounts of the problem, or 'not always logical', but that such understandings would be difficult to resist. Again, the implication is that the Home Office was grappling to reconcile what was operationally effective, with simplistic narratives about what would work. We also see strategies of compensation emerging, as further steps to reduce immigration were becoming increasingly difficult both politically and practically.

However, officials continued to believe that evasion represented only a very small part of overall inflows. A 1969 report to a Parliamentary select committee outlined 19 known methods of evasion, but maintained the view that the issue was not significant:



there is no reason to believe that successful evasion is widespread and the view of the Home Office is that the alertness and expert knowledge of the Immigration Service and of entry certificate officers confine it to small proportions. ('Appendix: Notes on some methods of evasion of the immigration control', 11 Nov. 1969, TNA HO 344/297)

The focus on evasion was also seen as unhelpful because of its potential to stoke public concerns. Officials worked carefully to avoid highlighting evasion more than necessary, seeking to avoid inflaming public opinion on the issue. Such reports on evasion were considered very sensitive by policy-makers. 'This would be big news,' Callaghan emphasised in a hand-written note on an early draft of the select committee report, in urging that the report make clearer from the start that evasion was on a small scale (Pile to Allen, 20 Dec. 1968, TNA HO 344/297, emphasis in the original).

Nonetheless, the idea of requiring entry certificates from Commonwealth dependants coming for settlement was resurrected when traffic at Heathrow increased to such an extent that immigration officers were struggling to process the volume of travellers. Despite long holding that mandating entry certificates would have no effect on immigration numbers, there now seemed another reason to adopt the provision. The Home Office quickly included it in the long-percolating Immigration Appeals Bill that was about to be debated in Parliament. This provoked a gloating opposition reaction.

[Mr. Hogg]: Does [the right hon. Gentleman] recall that for the last two-and-a-half years this reform has been consistently advocated from these benches on precisely the ground which he has now accepted ... ?

Mr. Callaghan: ... I have never resisted this proposal. I have said that it needed careful administrative examination and a great deal of consultation. That has been carried out. (HC Deb 1 May 1969 vol. 782 col. 1632)

Indeed, the administrative examination of the idea had largely concluded its ineffectiveness at catching evaders or reducing immigration. At the same time, the inclusion of the measure was a clear gesture to the evasion issue to which entry certificates had become discursively connected: the Conservative leadership championed this change as part of their ongoing attempts to take a tougher stance on immigration, and the government knew that the policy would be seen as related to 'Powellite pressure' (Trend to Wilson, 30 April 1969, TNA PREM 13/3268). The government's late arrival to supporting this policy, and its straightforward public presentation of it as being enacted to better deal with increasing passenger traffic, suggest a lack of manipulative intent. Indeed, policy-makers consciously sought to avoid giving the impression of widespread evasion, knowing it would be a source of criticism for them. This policy move does, however, appear to show some compensation, as pressures to concretely reduce immigration were running into ever more difficult practical and political barriers. However, the clearest element in this response is that of responding to political pressure – adapting policy to meet increasingly widespread political expectations about appropriate management of migration.

## Conclusion

This article has traced the emergence of symbolic policies towards irregular migration to the U.K. in the 1960s. It shows how the U.K. government adopted a series of policies that Home Office officials patently regarded as making little contribution to meeting their

immigration goals – but which would be effective in signalling commitment to meeting public expectations. These measures initially took the form of promising greater scrutiny of entering migrants; then making ‘clandestine immigration’ an offense and lengthening the timeframe for apprehending irregular entrants; and finally, adopting stricter entry controls. By 1969, the onus had shifted from adjusting quotas and criteria of admission to reduce numbers, to a policy focused on addressing the individual transgression of rules. The Home Office considered an individualised and punitive approach resource-intensive and ineffective – but this appeared to be demanded by public narratives of the problem.

In each of the three episodes we can observe a similar pattern: the ratcheting up of political demands in the media and political debate; followed by a period of deliberation in the Home Office, which initially resisted the narrative; and an eventual concession of the necessity of introducing measures out of political expediency. There was no evidence of conscious manipulation: policy-makers were not seeking to mobilise support through whipping up public concerns. The third episode, however, can be read at least in part as an instance of compensation. The Home Office was effectively out of ideas to reduce immigration, and resorted to a reliance on gestures to demonstrate action. But overall, the three episodes examined in this study reveal the prevalence of the third account of adaptation. Symbolic policy-making emerged as a way of dealing with the discrepancy between operational and political narratives about a social problem.

While our findings focus on symbolic policy-making towards irregular immigration, they diverge from dominant accounts of U.K. immigration policy-making in the 1950s and 1960s that see political elites as highly manipulative of public attitudes, ‘racializing’ the issue in order to generate public support for restriction (Carter, Harris, and Joshi 1987; Paul 1997). The archival data examined here suggest that after the 1962 Act, politicians were much more often reactive to what they saw as hostile public opinion towards immigration, while bureaucrats, rather than stoking public anxiety, viewed public political and media discourses as sources of unhelpful demands that trickled down to them through ministerial pressure. The strong presence of adaptation in this case accords with Hansen’s (2000) account of political elites, which reads them as responding to perceived public concerns rather than consciously manipulating the public.

One of the most intriguing insights from the analysis concerns the perceived lack of leeway for officials, once the issue had been framed in this punitive way. It suggests that certain narratives of migration control may exert particular influence in political debate, making them more difficult for officials to counter (Slaven 2016, 111–117). While bureaucrats remained firmly committed to their own, more technocratic, narrative of operational necessities, they were well aware of how compelling the alternative account was. This more specialised organisational narrative was able to delay, but ultimately not stem, capitulation to the more populist, punitive account.

This leads us to a second insight about the effects unleashed by symbolic measures. Even if the Home Office saw the issue of immigration numbers as best dealt with in aggregate, the 1962 Act had introduced individual criteria for Commonwealth citizens’ eligibility to settle in the U.K. as part of its attempt at demographic governance (Hampshire 2005). This framing of the issue around individual eligibility, however, generated expectations about enforcement and created political incentives to further politicise instances of patchy implementation. The adoption of symbolic decisions which are difficult to operationalise and enforce may be a short-term political fix for governments, but it

creates a risk of exposure further down the line. This can place continuing pressure on policy-makers to adapt to more popular conceptions of the problem, often through further symbolic policy-making.

We end with a word on the robustness of our findings. There are, of course, features of the U.K. case that imply the need for caution in generalising to other contexts. As irregular migration was a new political issue in the 1960s, we might expect officials to be less astute in using symbolic policy as a form of manipulation or compensation – arguably these strategies were subsequently learned and more widely applied after the 1960s. Indeed, one could posit a number of mechanisms through which such strategies might become normalised as effective tools of political mobilisation, or seen as inevitable or even pre-empted in bureaucratic responses. It would be interesting to explore, in future research, how different strategies might be sequenced or become institutionally entrenched.

Moreover, it may be that the U.K. civil service was particularly susceptible to adaptation, given its distinct administrative culture, which is associated with pragmatism, incrementalism, flexibility, and a certain amount of muddling through (Jordan and Richardson 1982; Peters 2010). And Labour administrations – which were in power throughout the period considered – may have been more drawn to adaptation, wanting to avoid stoking anti-immigrant sentiment. Again, these observations suggest that it would be fruitful to examine in more depth the sorts of conditions that might militate towards the respective strategies – be these related to bureaucratic cultures, party ideologies, or political opportunity structures.

Nonetheless, as a plausibility test, the case produces strong evidence of adaptation as the driver of symbolic policy-making – implying that such strategies may be more prevalent than existing literature would allow. This article illustrates the in-depth insights into the considerations shaping symbolic policy-making offered by analysis of archival data: methods that focus on these deliberations can cast new light on symbolic policies and the rationalities that lead to them. Most importantly, then, this article suggests the need for more granular analysis of bureaucratic deliberations underpinning decisions in this highly symbolic area of policy.

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